

EXHIBIT A TO MAO DECLARATION

**Plaintiffs' Proposed Preclusion Orders Pursuant to
Federal Rule of Civil Procedure 37(b)(2)(A)**

1. Google is precluded from arguing that it does not join Incognito browsing data to [REDACTED]
2. Google is precluded from arguing that it does not use Incognito browsing data to [REDACTED]
3. Google is precluded from arguing that it does not use Incognito browsing data for [REDACTED]
4. Google is precluded from arguing that it has not made Incognito browsing data available for other business purposes.

**Plaintiffs' Proposed Jury Instruction Pursuant to
Federal Rule of Civil Procedure 37(b)(2)(A)**

Google failed to turn over relevant evidence regarding its tracking of private browsing activity. That included evidence regarding how Google, within [REDACTED] logs that were withheld from Plaintiffs, saves and uses private browsing activity, [REDACTED]

[REDACTED] You may, but are not required, to infer that Google withheld evidence that was favorable to Plaintiffs' claims and unfavorable to Google's defenses in this case.

**Plaintiffs' Proposed Jury Instruction Pursuant to
Federal Rule of Civil Procedure 37(e)**

Google during the course of this litigation breached its duty to preserve relevant evidence by deleting data regarding Google's tracking of private browsing activity. That included data regarding how Google saves and uses private browsing activity, [REDACTED]

You may, but are not required, to infer that the deleted material included evidence that was favorable to Plaintiffs' claims and unfavorable to Google's defenses in this case.